

MESSAGE NO: 4143304 MESSAGE DATE: 05/23/2014

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: 79 FR 25109 FR CITE DATE: 05/02/2014

REFERENCE 3078305
MESSAGE #
(s):
CASE #(s): A-570-970

EFFECTIVE DATE: 04/23/2014 COURT CASE #: 12-00007

PERIOD OF REVIEW: 04/01/2010 TO 09/30/2010

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for multilayered wood flooring from the People's Republic of China ("PRC") produced and exported by the Samling Group (A-570-970-002)

1. On 04/23/2014, the U.S. Court of International Trade (CIT) issued a final decision in the case of Baroque Timber Industries (Zhongshan) Company, Limited, et al. v. United States (Court No. 12-00007). As a result of the CIT's decision, the injunction to which message number 3078305, dated 3/19/2013, refers enjoining liquidation of entries which are subject to the antidumping duty order on multilayered wood flooring from the People's Republic of China (PRC) and which were produced and exported by the Samling Group on or after 5/26/2011, but excluding entries made between 11/22/2011, and 12/6/2011, was dissolved on 4/23/2014.

2. Pursuant to the underlying decision, Commerce has determined that merchandise produced and exported by the Samling Group (A-570-970-002) -- Baroque Timber Industries (Zhongshan) Co., Ltd., Riverside Plywood Corporation, Samling Elegant Living Trading (Labuan) Limited, Samling Riverside Co., Ltd., and Suzhou Times Flooring Co. Ltd.--is excluded from the antidumping duty order on multilayered wood flooring from the PRC. Accordingly, for multilayered wood flooring produced and exported by the Samling Group, entered or withdrawn from warehouse for consumption on or after 5/26/2011, Customs and Border Protection (CBP) is directed to terminate the suspension of liquidation and to release any bond or other security and refund any cash deposit. This exclusion does not apply to merchandise produced by the Samling Group and exported by any other company, or produced by any other company and exported by the Samling Group.

3. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2, occurred with the publication of the amended final determination of sales at less than fair value and antidumping duty order (79 FR 25109, dated 5/2/2014). For all other shipments of multilayered wood flooring from the PRC you shall, unless otherwise instructed, continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

4. The assessment of antidumping duties by CBP on entries of this merchandise is subject to the provisions of Section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments and assess interest on underpayments of the required amounts

deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order (76 FR 76690, dated 12/8/2011). Interest for entries made after 12/8/2011 shall be calculated from the date payment of estimated antidumping duties was required through the date of liquidation. The rate at which such interest is payable is the rate in effect under Section 6621 of the internal revenue code of 1954 for such period.

5. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OIV:JM.)

6. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party